

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

ADAM BARKER, individually and on behalf of
similarly situated persons,

Plaintiff,

v.

ITL FOODS, LP d/b/a PIZZA HUT,

Defendant.

Case No. 4:22-cv-00342

Collective Action Complaint

Jury Demanded

PROPOSED FLSA PHASE II SCHEDULING ORDER

Plaintiff, ADAM BARKER, and Defendant, ITL FOODS, LP (together, “the Parties”), pursuant to this Court’s request at the hearing held on September 7, 2023, hereby submit this proposed FLSA Phase II Scheduling Order:

Defendant to produce to Plaintiff’s counsel, in a computer-readable format, the contact information (including the names, addresses, telephone numbers, e-mail addresses, and dates of employment with corresponding locations of employment) for each Putative Class Member:	Sept. 27, 2023
Notice and Consent to Join Form ¹ sent to all Putative Class Members:	Oct. 9, 2023
Reminder Notice to be sent to all Putative Class Members:	Nov. 8, 2023
Notice period closes:	Dec. 8, 2023
Merits discovery ends:	Mar. 15, 2024

¹ A copy of agreed upon Notice and Consent to Join Form is attached hereto as **Exhibit 1**. The Notice and Consent to Join Form will be sent to Putative Class Members via First Class Mail, e-mail, and text-message. A 30-day Reminder Notice will be sent to Putative Class Members via First Class Mail, e-mail, and text-message. For purposes of effectuating notice, Defendant will produce the last four digits of any Putative Class Members’ social security number whose notice comes back as undeliverable. The Putative Class Members may execute their consent forms electronically.

Dispositive motions / Defendant's Motion for Decertification due:	Apr. 12, 2024
Disclosure of Expert Testimony:	Apr. 26, 2024
Final Pretrial Order due:	June 21, 2024
Final Pretrial Conference:	June 28, 2024
Trial Date:	July 22, 2024

Respectfully submitted this 13th day of September 2023.

/s/ C. RYAN MORGAN

C. Ryan Morgan, Esq. (*Pro Hac Vice*)
FBN 0015527
Jolie N. Pavlos, Esq. (*Pro Hac Vice*)
FBN 0125571
Morgan & Morgan, P.A.
20 N. Orange Ave., 15th Floor
P.O. Box 4979
Orlando, FL 32802-4979
Telephone: (407) 420-1414
Email: RMorgan@forthepeople.com
JPavlos@forthepeople.com

/s/ ANDREW DUNLAP

Andrew Dunlap, Esq.
Texas Bar No. 24078444
JOSEPHSON DUN LAP, LLP
11 Greenway Plaza
Suite 3050
Houston, TX 77046
Telephone: (713) 352-1100
E-mail: adunlap@mybackwages.com
Local Counsel
Counsel for the Plaintiff(s)

/s/ MICHAEL WALLIS

Michael H. Wallis, Esq.
Texas Bar No. 24033426
Laura Flores Macom, Esq.
Texas Bar No. 24002512
Thornton, Biechlin, Reynolds & Guerra, L.C.
One International Centre
100 N.E. Loop 410 Ste. 500
San Antonio, TX 78216
Telephone: (210) 581-0294
E-mail: mwallis@thorntonfirm.com
lmacom@thorntonfirm.com

Counsel for Defendant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on September 13, 2023, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send a notice of electronic filing to all counsel of record.

/s/ Laura Flores Macom

Laura Flores Macom